

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision being entered today was not written for publication in a law journal and is not binding precedent of the Board.

Paper No. 36

*clm*

UNITED STATES PATENT AND TRADEMARK OFFICE

*MAIL*

BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

DEC 18 2000

Ex parte HEINZ ESCH, UDO GORL,  
ROBERT KUHLMANN and RALF RAUSCH

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

Appeal No. 2000-1119  
Application No. 08/870,591

ORDER DISMISSING APPEAL

Before STONER, Chief Administrative Patent Judge; HARKCOM, Vice Chief Administrative Patent Judge; and WILLIAM F. SMITH, Administrative Patent Judge.

Per curiam.

On March 30, 1999, appellants filed a Notice of Appeal (Paper No. 31). On November 30, 2000, appellants filed a communication abandoning the present application in favor of a Continued Prosecution Application (Paper No. 35).

Accordingly, it is

ORDERED that the appeal filed March 30, 1999 (Paper No. 31) is dismissed.

Appeal No. 2000-1119  
Application No. 08/870,591

The application is being returned to the examiner for further action as may be appropriate.

*Bruce H. Stoner*  
BRUCE H. STONER, TR., Chief )  
Administrative Patent Judge )  
  
*Gary V. Harkcom*  
GARY V. HARKCOM, Vice Chief ) BOARD OF PATENT  
Administrative Patent Judge ) APPEALS AND  
 ) INTERFERENCES  
 )  
*William F. Smith*  
WILLIAM F. SMITH )  
Administrative Patent Judge )

BHS:clm

Appeal No. 2000-1119  
Application No. 08/870,591

Cushman, Darby & Cushman  
Intellectual Property Group  
of Pillsbury, Madison & Sutro  
9th Floor, 1100 New York Ave., N.W.  
Washington, DC 20005-3918